

**Congress of the United States**  
**Washington, DC 20515**

February 3, 2022

The Honorable Michael Regan  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Dear Administrator Regan,

We write to request an update on the Environmental Protection Agency's (EPA) efforts to release a new Community Water System (CWS) Survey. As you know, the EPA has used its authority under the Safe Drinking Water Act to conduct research and request data from local utilities to inform new regulations.<sup>1</sup> Despite conducting three surveys between 1995 and 2006, the EPA has not done so in the fifteen years since.<sup>2</sup> In that time, however, numerous communities across the country have uncovered threats to their public health due to contaminants in their drinking water—most notably in Flint, Michigan, in 2014.<sup>3</sup> A new survey by the EPA will be crucial as communities across the country undertake projects to update their water infrastructure.

Congress approved \$350 billion for state and local governments as part of the *American Rescue Plan Act* in March 2021, which allows for water infrastructure improvements to strengthen public health as part of its allowable uses.<sup>4</sup> In November 2021, President Biden signed the *Infrastructure Investment and Jobs Act* into law, which provided a historic \$55 billion in dedicated funding for water infrastructure.<sup>5</sup> As the Biden Administration promptly distributes these funds, we commend your agency for encouraging recipients to prioritize underserved communities.<sup>6</sup> As we make these necessary improvements, more recent data will maximize the efficacy of these funds and ensure that mission is fulfilled.

In March 2021, the Government Accountability Office recommended that the EPA's Office of Water conduct another CWS Survey to "establish an updated, accurate baseline of drinking water utility information for rulemaking and other purposes."<sup>7</sup> In response, the EPA indicated that it "generally agrees" with the need for another CWS Survey and would develop the instruments

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<sup>1</sup> U.S. Government Printing Office. *The Safe Drinking Water Act of 1996*.

<https://www.govinfo.gov/content/pkg/CPRT-106SPRT67528/pdf/CPRT-106SPRT67528.pdf>

<sup>2</sup> U.S. EPA. Community Water System Survey <https://www.epa.gov/sdwa/community-water-system-survey>

<sup>3</sup> Merrit Kennedy, "Lead-Laced Water in Flint: A Step-By-Step Look At the Makings Of A Crisis" *National Public Radio*. April 20, 2016.

<sup>4</sup> U.S. Treasury. Fact Sheet: The American Rescue Plan Will Deliver Immediate Economic Relief to Families

<sup>5</sup> The White House. Fact Sheet: The Bipartisan Infrastructure Deal

<sup>6</sup> U.S. EPA. EPA Announces Water Infrastructure Funding for States Through the Bipartisan Infrastructure Law, Calls for Prioritizing Underserved Communities. <https://www.epa.gov/newsreleases/epa-announces-water-infrastructure-funding-states-through-bipartisan-infrastructure>

<sup>7</sup> U.S. Government Accountability Office (March 2021) *Private Water Utilities: Actions Needed to Enhance Ownership Data*. <https://www.gao.gov/assets/gao-21-291.pdf>

necessary for a survey that year. However, in the Fall 2021 Unified Agenda of Regulatory and Deregulatory Actions, the request to begin a new survey was not included.<sup>8</sup>

Additionally, as the EPA conducts an updated CWS Survey, we urge the agency to study water affordability, the prevalence of shutoffs, and instances of discrimination and civil rights violations by water providers to create a more accurate report of the challenges faced by disadvantaged communities across the country.

We respectfully request the EPA take the steps necessary to conduct a new CWS Survey as well as expanding the scope of the survey to include these critical data points. We stand ready to assist you in any legislative action that may be required to address this. We look forward to working with you to ensure every American has access to safe and affordable drinking water.

Sincerely,



Brenda L. Lawrence  
Member of Congress



Gwen Moore  
Member of Congress



Julia Brownley  
Member of Congress



Dina Titus  
Member of Congress



Nanette Diaz Barragán  
Member of Congress



Bonnie Watson Coleman  
Member of Congress



Karen Bass  
Member of Congress



Rashida Tlaib  
Member of Congress



Kathy Castor  
Member of Congress



Lisa Blunt Rochester  
Member of Congress

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<sup>8</sup>U.S. Office of Information and Regulatory Affairs [https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION\\_GET\\_AGENCY\\_RULE\\_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=2000&csrf\\_token=9AFFC68CC8F0CFE32833F2F2EAB9B7A81D541CEE949CAFB69898503DC27B17999A6395A8AD81CCE85352E40D60A3157B117C](https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=2000&csrf_token=9AFFC68CC8F0CFE32833F2F2EAB9B7A81D541CEE949CAFB69898503DC27B17999A6395A8AD81CCE85352E40D60A3157B117C)



Marie Newman  
Member of Congress



Rick Larsen  
Member of Congress

/s/

Ro Khanna  
Member of Congress



Jake Auchincloss  
Member of Congress

/s/

Eleanor Holmes Norton  
Member of Congress

/s/

Donald Payne, Jr.  
Member of Congress



Tom Suozzi  
Member of Congress

/s/

Jerrold Nadler  
Member of Congress

/s/

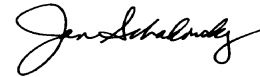
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